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EXAMINER

MILLER, BRANDON J

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/829,473	Applicant(s) LAPPETELAINEN ET AL.	
	Examiner BRANDON J. MILLER	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 April 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 11-23 and 26-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 11, 13-23 and 26-34 is/are rejected.
- 7) ☒ Claim(s) 5 and 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment/Remarks

Disposition of Claims

- I. Claims 1-6, 11-23, and 26-34 remain pending in the application

Allowable Subject Matter

II Claims 5 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

III. Claims 33-34 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter, “a computer program embodied on a computer medium”. A computer program embodied on a computer medium is considered a program per se and is merely a set of instructions capable of being executed by a computer, the computer program itself is not a process and the USPTO will treat a claim for a computer program.

The following art rejection is based on the best possible interpretation of the claim language in light of the rejection under 35 U.S.C. 101.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

IV. Claims 33-34 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claims 33-34 contain the limitation “a computer program embodied on a computer medium”. This limitation, “a computer program embodied on a computer medium”, is not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The limitation first appears in the amendment received 4/21/2008. However, because the amendment adding this limitation was four years after the 4/22/2004 filing date of the application and the limitation is not recited or suggested anywhere else in the application as filed, the amendment constitutes new matter.

The following art rejection is based on the best possible interpretation of the claim language in light of the rejection under 35 U.S.C. 112, first paragraph.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

V. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1,148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

VI. Claims 1-4, 6, 11, 13-21, 23, 27, and 29-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ratert et al. (US 2004/0142684 A1) in view of Mittal (US 6,842,613 B2).

Regarding claim 1 Ratert teaches connecting a subscriber terminal of a wireless telecommunication system to an infrastructure of the wireless telecommunications system over a wireless interface, the subscriber terminal holding a subscriber identity in the wireless telecommunications system (see paragraphs [0016] & [0023], radiotelephone 100 reads on subscriber terminal; and communication between radiotelephone 100 and telecommunications network reads on connecting subscriber terminal to infrastructure because for communication to occur a connection must first be made). Ratert teaches connecting the subscriber terminal to at least one sub-terminal over a proximity wireless interface, the at least one sub-terminal using the subscriber identity of the subscriber terminal (see paragraphs [0020] & [0025] and FIGs. 2 & 3). Ratert does not specifically teach requesting a radio link from the subscriber terminal, the radio link being directed from the infrastructure to the at least one sub-terminal; generating signaling parameters for controlling the radio link; and communicating at least one of the signaling parameters between the sub-terminal and the infrastructure via the subscriber terminal. Mittal teaches requesting a radio link from a subscriber terminal, the radio link being directed from an infrastructure to at least one sub-terminal; generating signaling parameters for controlling the radio link; and communicating at least one of the signaling parameters between the sub-terminal and the infrastructure via the subscriber terminal (see col. 7, lines 11-20 & 26-33). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device in Ratert adapt to include requesting a radio link from the subscriber terminal, the radio link being directed from the infrastructure to the at least one sub-terminal; generating signaling parameters for controlling the radio link; and communicating at least one of the signaling parameters between the sub-terminal and the infrastructure via the subscriber terminal because

Ratert teaches that the connection parameters are transferred to the sub-terminal and the devices in Ratert are functionally capable of transferring them from the infrastructure as taught in Mittal.

Regarding claim 2 Ratert teaches generating at least some of the signaling parameters in the sub-terminal (see paragraph [0023] and FIG. 3).

Regarding claim 3 Mittal teaches communicating at least some of the signaling parameters between the at least one sub-terminal and the infrastructure over a wireless interface between the infrastructure and the at least one sub-terminal (see col. 7, lines 11-20 & 26-33).

Regarding claim 4 Mittal teaches configuring the at least one sub-terminal to provide the radio link according to at least some of the signaling parameters (see col. 7, lines 11-20 & 26-33).

Regarding claim 6 Ratert teaches a system comprising a subscriber terminal and at least one sub-terminal, wherein the subscriber terminal comprises a connecting unit configured to connect the subscriber terminal to a infrastructure of a wireless telecommunications system and a subscriber identity unit configured to hold a subscriber identity of the subscriber terminal in the wireless telecommunications system (see paragraphs [0016], radiotelephone 100 reads on subscriber terminal and FIG. 2). Ratert teaches wherein the at least one sub-terminal uses the subscriber identity of the subscriber terminal and includes a receiving unit configured to provide a radio link directed from the infrastructure to the at least one sub-terminal, the radio link being controlled on the basis of signaling parameters (see paragraphs [0020] & [0021] and FIGs. 2 & 3). Ratert teaches wherein the system comprises a proximity signaling unit operationally connected to the signaling unit, configured to communicate at least one signaling parameter between the subscriber terminal and the at least one sub-terminal over a proximity wireless

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interface (see paragraphs [0020] & [0025] and FIGs. 2 & 3). Ratert does not specifically teach wherein the subscriber terminal comprises a requesting unit operationally connected to the connecting unit configured to request a radio link directed from the infrastructure to the at least one sub-terminal; wherein the system comprises a signaling unit operationally connected to the connecting unit, configured to communicate at least one of a signaling parameters between the subscriber terminal and the infrastructure. Mittal teaches wherein the subscriber terminal comprises a requesting unit operationally connected to the connecting unit configured to request a radio link directed from the infrastructure to the at least one sub-terminal; wherein the system comprises a signaling unit operationally connected to the connecting unit, configured to communicate at least one of a signaling parameters between the subscriber terminal and the infrastructure (see col. 7, lines 11-20 & 26-33). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device in Ratert adapt to include wherein the subscriber terminal comprises a requesting unit operationally connected to the connecting unit configured to request a radio link directed from the infrastructure to the at least one sub-terminal; wherein the system comprises a signaling unit operationally connected to the connecting unit, configured to communicate at least one of a signaling parameters between the subscriber terminal and the infrastructure because Ratert teaches that the connection parameters are transferred to the sub-terminal and the devices in Ratert are functionally capable of transferring them from the infrastructure as taught in Mittal.

Regarding claim 11 Ratert teaches an apparatus comprising a connecting unit configured to connect the apparatus to an infrastructure of the wireless telecommunications system (see paragraphs [0016], radiotelephone 100 reads on subscriber terminal and FIG. 2). Ratert teaches

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a subscriber identity unit configured to hold a subscriber identity of the subscriber terminal in the wireless telecommunications system (see paragraph [0016]). Ratert teaches the at least one sub-terminal using the subscriber identity of the subscriber terminal, and a radio link being controlled on the basis of signaling parameters (see paragraphs [0020] & [0021] and FIGs. 2 & 3). Ratert teaches a proximity signaling unit configured to communicate at least one of the signaling parameters with the at least one sub-terminal over a proximity wireless interface (see paragraphs [0020] & [0025] and FIGs. 2 & 3). Ratert does not specifically teach the apparatus requesting a radio link directed from the infrastructure to at least one sub-terminal; and communicating at least one of the signaling parameters between the subscriber terminal and the infrastructure. Mittal teaches the apparatus requesting a radio link directed from the infrastructure to at least one sub-terminal; and communicating at least one of the signaling parameters between the subscriber terminal and the infrastructure (see col. 7, lines 11-20 & 26-33). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device in Ratert adapt to include the apparatus requesting a radio link directed from the infrastructure to at least one sub-terminal; and communicating at least one of the signaling parameters between the subscriber terminal and the infrastructure because Ratert teaches that the connection parameters are transferred to the sub-terminal and the devices in Ratert are functionally capable of transferring them from the infrastructure as taught in Mittal.

Regarding claim 13 Ratert teaches an apparatus comprising a receiving unit configured to provide a radio link directed from an infrastructure of the wireless telecommunication system, to the apparatus (see paragraphs [0020] - [0021]). Ratert teaches the apparatus being operationally connected to the infrastructure and holding a subscriber identity in the wireless

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telecommunications system, the apparatus using the subscriber identity of a subscriber terminal (see paragraphs [0020] – [0021] and FIGs 2 & 3). Ratert teaches a proximity signaling unit configured to communicate at least some of the signaling parameters between the subscriber terminal and the sub-terminal over a proximity wireless interface (see paragraphs [0020] & [0025] and FIGs. 2 & 3). Ratert does not specifically teach the radio link being controlled on the basis of signaling parameters communicated between the subscriber terminal and the infrastructure, the radio link being requested by the subscriber terminal. Mittal teaches the radio link being controlled on the basis of signaling parameters communicated between the subscriber terminal and the infrastructure, the radio link being requested by the subscriber terminal (see col. 7, lines 11-20 & 26-33). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device in Ratert adapt to include the radio link being controlled on the basis of signaling parameters communicated between the subscriber terminal and the infrastructure, the radio link being requested by the subscriber terminal because Ratert teaches that the connection parameters are transferred to the sub-terminal and the devices in Ratert are functionally capable of transferring them from the infrastructure as taught in Mittal.

.Regarding claim 14 Ratert and Mittal teach a device as recited in claim 2 and is rejected given the same reasoning as above.

Regarding claim 15 Ratert and Mittal teach a device as recited in claim 3 and is rejected given the same reasoning as above.

Regarding claim 16 Ratert teaches configuring the receiving unit according to at least some of the signaling parameters (see paragraph [0020]).

Regarding claim 17 Ratert teaches the sub-terminal configuring the proximity signaling according to at least some of the proximity signaling parameters received from the subscriber terminal (see paragraph [0020]).

Regarding claim 18 Ratert teaches the subscriber terminal being connected to the infrastructure and the subscriber terminal holding the subscriber identity in the wireless telecommunications system see paragraphs [0016] & [0023], radiotelephone 100 reads on subscriber terminal; and communication between radiotelephone 100 and telecommunications network reads on connecting subscriber terminal to infrastructure because for communication to occur a connection must first be made). Ratert teaches the at least one sub-terminal using the subscriber identity of the subscriber terminal (see paragraphs [0020] - [0021] and FIGs 2 & 3). Ratert teaches at least one signaling parameters being communicated between the subscriber terminal and the at least one sub-terminal over a proximity wireless interface (see paragraphs [0020] & [0025] and FIGs. 2 & 3). Ratert does not specifically teach an apparatus for controlling access of at least one sub-terminal to an infrastructure of a wireless telecommunications system on the basis of an access request from a subscriber terminal of the wireless telecommunications system; controlling the radio link directed from the infrastructure to at least one sub-terminal, the radio link being controlled on the basis of signaling parameters; and a signaling unit configured to communicate at least one of the signaling parameters between the infrastructure and the subscriber terminal. Mittal teaches an apparatus for controlling access of at least one sub-terminal to an infrastructure of a wireless telecommunications system on the basis of an access request from a subscriber terminal of the wireless telecommunications system; controlling the radio link directed from the infrastructure to at least one sub-terminal, the radio

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link being controlled on the basis of signaling parameters; and a signaling unit configured to communicate at least one of the signaling parameters between the infrastructure and the subscriber terminal (see col. 7, lines 11-20 & 26-33). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device in Ratert adapt to include an apparatus for controlling access of at least one sub-terminal to an infrastructure of a wireless telecommunications system on the basis of an access request from a subscriber terminal of the wireless telecommunications system; controlling the radio link directed from the infrastructure to at least one sub-terminal, the radio link being controlled on the basis of signaling parameters; and a signaling unit configured to communicate at least one of the signaling parameters between the infrastructure and the subscriber terminal because Ratert teaches that the connection parameters are transferred to the sub-terminal and the devices in Ratert are functionally capable of transferring them from the infrastructure as taught in Mittal.

Regarding claim 19 Ratert teaches controlling a radio link on the basis of signaling parameters generated in the sub-terminal (see paragraph [0023] and FIG. 3).

Regarding claim 20 Ratert and Mittal teaches a device as recited in claim 3 and is rejected given the same reasoning as above.

Regarding claim 21 Ratert teaches controlling the wireless interface on the basis of signaling parameters and a second signaling unit for communicating at least some of the proximity signaling parameters with the subscriber terminal (see paragraph [0020] – [0021] and FIG. 2).

Regarding claim 23 Ratert teaches elements selected from a group comprising: admission control, and allocation of resources (see paragraph [0023]).

Regarding claim 27 Ratert teaches a device as recited in claim 23 and is rejected given the same reasoning as above.

Regarding claim 29 Ratert teaches a device as recited in claim 23 and is rejected given the same reasoning as above.

Regarding claim 30 Ratert teaches an apparatus comprising connecting the apparatus to an infrastructure of the wireless telecommunications system (see paragraphs [0016], radiotelephone 100 reads on subscriber terminal and FIG. 2). Ratert teaches a subscriber identity unit for holding a subscriber identity of the subscriber terminal in the wireless telecommunications system (see paragraph [0016]). Ratert teaches the at least one sub-terminal using the subscriber identity of the subscriber terminal, and a radio link being controlled on the basis of signaling parameters (see paragraphs [0020] & [0021] and FIGs. 2 & 3). Ratert teaches a proximity signaling for communicating at least one of the signaling parameters with the at least one sub-terminal over a proximity wireless interface (see paragraphs [0020] & [0025] and FIGs. 2 & 3). Ratert does not specifically teach the apparatus requesting a radio link directed from the infrastructure to at least one sub-terminal; and communicating at least one of the signaling parameters between the subscriber terminal and the infrastructure. Mittal teaches the apparatus requesting a radio link directed from the infrastructure to at least one sub-terminal; and communicating at least one of the signaling parameters between the subscriber terminal and the infrastructure (see col. 7, lines 11-20 & 26-33). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device in Ratert adapt to include the apparatus requesting a radio link directed from the infrastructure to at least one sub-terminal; and communicating at least one of the signaling parameters between the subscriber terminal and

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the infrastructure because Ratert teaches that the connection parameters are transferred to the sub-terminal and the devices in Ratert are functionally capable of transferring them from the infrastructure as taught in Mittal.

Regarding claim 31 Ratert teaches an apparatus providing a radio link directed from an infrastructure of the wireless telecommunication system, to the apparatus (see paragraphs [0020] - [0021]). Ratert teaches the apparatus being operationally connected to the infrastructure and holding a subscriber identity in the wireless telecommunications system, the apparatus using the subscriber identity of a subscriber terminal (see paragraphs [0020] – [0021] and FIGs 2 & 3). Ratert teaches a proximity signaling communicating at least some of the signaling parameters between the subscriber terminal and the sub-terminal over a proximity wireless interface (see paragraphs [0020] & [0025] and FIGs. 2 & 3). Ratert does not specifically teach the radio link being controlled on the basis of signaling parameters communicated between the subscriber terminal and the infrastructure, the radio link being requested by the subscriber terminal. Mittal teaches the radio link being controlled on the basis of signaling parameters communicated between the subscriber terminal and the infrastructure, the radio link being requested by the subscriber terminal (see col. 7, lines 11-20 & 26-33). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device in Ratert adapt to include the radio link being controlled on the basis of signaling parameters communicated between the subscriber terminal and the infrastructure, the radio link being requested by the subscriber terminal because Ratert teaches that the connection parameters are transferred to the sub-terminal and the devices in Ratert are functionally capable of transferring them from the infrastructure as taught in Mittal.

Regarding claim 32 Ratert teaches the subscriber terminal being connected to the infrastructure and the subscriber terminal holding the subscriber identity in the wireless telecommunications system see paragraphs [0016] & [0023], radiotelephone 100 reads on subscriber terminal; and communication between radiotelephone 100 and telecommunications network reads on connecting subscriber terminal to infrastructure because for communication to occur a connection must first be made). Ratert teaches the at least one sub-terminal using the subscriber identity of the subscriber terminal (see paragraphs [0020] - [0021] and FIGs 2 & 3). Ratert teaches at least one signaling parameters being communicated between the subscriber terminal and the at least one sub-terminal over a proximity wireless interface (see paragraphs [0020] & [0025] and FIGs. 2 & 3). Ratert does not specifically teach an apparatus for controlling access of at least one sub-terminal to an infrastructure of a wireless telecommunications system on the basis of an access request from a subscriber terminal of the wireless telecommunications system; controlling the radio link directed from the infrastructure to at least one sub-terminal, the radio link being controlled on the basis of signaling parameters; and a signaling unit configured to communicate at least one of the signaling parameters between the infrastructure and the subscriber terminal. Mittal teaches an apparatus for controlling access of at least one sub-terminal to an infrastructure of a wireless telecommunications system on the basis of an access request from a subscriber terminal of the wireless telecommunications system; controlling the radio link directed from the infrastructure to at least one sub-terminal, the radio link being controlled on the basis of signaling parameters; and a signaling unit configured to communicate at least one of the signaling parameters between the infrastructure and the subscriber terminal (see col. 7, lines 11-20 & 26-33). It would have been obvious to one of

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ordinary skill in the art at the time the invention was made to make the device in Ratert adapt to include an apparatus for controlling access of at least one sub-terminal to an infrastructure of a wireless telecommunications system on the basis of an access request from a subscriber terminal of the wireless telecommunications system; controlling the radio link directed from the infrastructure to at least one sub-terminal, the radio link being controlled on the basis of signaling parameters; and a signaling unit configured to communicate at least one of the signaling parameters between the infrastructure and the subscriber terminal because Ratert teaches that the connection parameters are transferred to the sub-terminal and the devices in Ratert are functionally capable of transferring them from the infrastructure as taught in Mittal.

Regarding claim 33 Ratert teaches connecting a subscriber terminal of a wireless telecommunication system to an infrastructure of the wireless telecommunications system over a wireless interface, the subscriber terminal holding a subscriber identity in the wireless telecommunications system (see paragraphs [0016] & [0023], radiotelephone 100 reads on subscriber terminal; and communication between radiotelephone 100 and telecommunications network reads on connecting subscriber terminal to infrastructure because for communication to occur a connection must first be made). Ratert teaches connecting the subscriber terminal to at least one sub-terminal over a proximity wireless interface, the at least one sub-terminal using the subscriber identity of the subscriber terminal (see paragraphs [0020] & [0025] and FIGs. 2 & 3). Ratert does not specifically teach a computer program; requesting a radio link from the subscriber terminal, the radio link being directed from the infrastructure to the at least one sub-terminal; generating signaling parameters for controlling the radio link; and communicating at least one of the signaling parameters between the sub-terminal and the infrastructure via the

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subscriber terminal. Mittal teaches a computer program for controlling a computer (see col. 4, lines 62-67. Mittal teaches requesting a radio link from a subscriber terminal, the radio link being directed from an infrastructure to at least one sub-terminal; generating signaling parameters for controlling the radio link; and communicating at least one of the signaling parameters between the sub-terminal and the infrastructure via the subscriber terminal (see col. 7, lines 11-20 & 26-33). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device in Ratert adapt to include requesting a radio link from the subscriber terminal, the radio link being directed from the infrastructure to the at least one sub-terminal; generating signaling parameters for controlling the radio link; and communicating at least one of the signaling parameters between the sub-terminal and the infrastructure via the subscriber terminal because Ratert teaches that the connection parameters are transferred to the sub-terminal and the devices in Ratert are functionally capable of transferring them from the infrastructure as taught in Mittal.

Regarding claim 34 Ratert teaches wherein the control of the radio link is admission control, or allocation of radio resources (see paragraph [0022]).

VII. Claims 22, 26, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ratert et al. (US 2004/0142684 A1) in view of Mittal (UD 6,842,613 B2) and deTorbal (US 2004/0058678 A1).

Regarding claim 22 Ratert and Mittal teach a device as recited in claim 1 except for generating a handover request to the sub-terminal in the subscriber terminal in order to perform simultaneous handovers of the subscriber terminal and the sub-terminal. deTorbal teaches

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generating a handover request in a subscriber terminal and performing simultaneous handovers of multiple subscriber terminals (see paragraph [0020]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include generating a handover request to the sub-terminal in the subscriber terminal in order to perform simultaneous handovers of the subscriber terminal and the sub-terminal because the subscriber terminals in Ratert hand over communication from one terminal to the other and the devices are capable of communicating handover requests using the communication links.

Regarding claim 26 Ratert, Mittal, and deTorbal teach a device as recited in claim 22 and is rejected given the same reasoning as above.

Regarding claim 28 Ratert, Mittal, and deTorbal teach a device as recited in claim 22 and is rejected given the same reasoning as above.

Response to Arguments

VIII. Applicant's arguments with respect to claims 1-6, 11-23, and 26-34 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

IX. Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRANDON J. MILLER whose telephone number is (571)272-7869. The examiner can normally be reached on Mon.-Fri. 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/George Eng/
Supervisory Patent Examiner, Art Unit 2617

July 15, 2008

/Brandon J Miller/
Examiner, Art Unit 2617